

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

LEVI FROMETA et al.,

Plaintiffs,

-against-

TABU LOUNGE INC. et al.,

Defendants.

USDC SDNY
DOCUMENT
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20-cv-1660 (MKV)

ORDER DENYING MOTION
FOR DEFAULT JUDGMENT

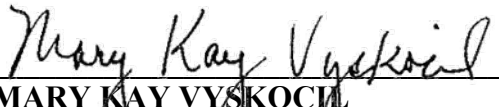
MARY KAY VYSKOCIL, United States District Judge:

The Court has carefully reviewed Plaintiffs' motion for a default judgment against Carlota Chevere [ECF No. 50]. The Court accepts as true the well-pleaded allegations in the Amended Complaint [ECF No. 12 ("FAC")], except those relating to damages. *See Au Bon Pain Corp. v. Artect, Inc.*, 653 F.2d 61, 65 (2d Cir. 1981). However, Plaintiffs' threadbare allegations fail to state a claim against Chevere as an employer. *See Irizarry v. Catsimatidis*, 722 F.3d 99, 104–105 (2d Cir. 2013); FAC ¶ 12. Accordingly, Plaintiffs' motion for a default judgment against Chevere is DENIED. The hearing on the motion that was scheduled to take place on December 16, 2021 is ADJOURNED.

The Clerk of Court is respectfully requested to close the motion pending at docket entry 50.

SO ORDERED.

Date: December 14, 2021
New York, NY



MARY KAY VYSKOCIL
United States District Judge